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10/502,499	07/23/2004	James Alan Strothman	PU020032	8120

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EXAMINER
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USTARIS, JOSEPH G

ART UNIT	PAPER NUMBER
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2623

MAIL DATE	DELIVERY MODE
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08/27/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed June 3, 2008 have been fully considered but they are not persuasive.

Applicant argues with respect to claims 1-18 that Goddard does not disclose detecting a user input indicating the acceptability of the rating sample. However, reading the claims in the broadest sense, Goddard does meet that limitation in the claims. Goddard discloses that the system detects a user input indicating the acceptability of the rating sample (See Fig. 5; col. 10 lines 15-45). The user choosing to block or unblock content is an indicator of the user's acceptability of the content.

The applicant also points out that Goddard's example content of television programs is not a "rating sample". The examiner respectfully disagrees. Applicant's specification defines a rating sample as an image (e.g. video, text, etc) and/or audio content (See specification page 5 line 28). The example content of television programs disclosed by Goddard is an image (e.g. video).

Applicant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2623

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Goddard (US006684240B1).

Regarding claim 1, Goddard discloses a method for personalizing rating limits in a parental control system (See Fig. 3), comprising:

enabling reproduction of a rating sample (e.g. television media that is example content) having a first rating (e.g. G, PG, PG-13, R, etc.) from a first source (e.g. MPAA) (See col. 1 lines 41-46 and col. 5 lines 52-67);

detecting a user input indicating the acceptability of the rating sample (See Fig. 5; col. 10 lines 15-45; the user inputs whether the example content is acceptable or not);

generating a first transition point (e.g. adjusting the acceptable content rating parameters) based on the user input (See Fig. 5, user input) and the first rating (e.g. G, PG, PG-13, R, etc.) (See col. 7 lines 31-41); and

using the first transition point (e.g. the acceptable content rating parameters) to determine whether data from the first source is output or blocked (See Fig. 3; col. 7 lines 31-41).

Regarding claim 2, wherein the rating sample (e.g. the television media serving as example content) further includes a second rating (e.g. TV-G, TV-PG, etc.) from a

Art Unit: 2623

second source (e.g. TV parental guideline) (See col. 7 lines 53-66), and further comprised of:

generating a second transition point (e.g. equating the TV rating to a MPAA rating within the acceptable content rating parameters) based on the user input (See Fig. 5, user input) and the second rating (e.g. TV-G, TV-PG, etc.); and

using the second transition point to determine whether data from the second source is output or blocked (See Fig. 3; col. 7 lines 31-41).

Regarding claim 3, wherein the user input indicates an MPAA rating (See col. 5 lines 52-67 and col. 7 lines 31-42; the user inputs to block/unblock content based on an example content, wherein the user selects/inputs the example content which indicates an MPAA rating or a TV parental guideline rating).

Regarding claim 4, wherein the user input indicates a TV Parental Guidelines rating (See col. 5 lines 52-67 and col. 7 lines 31-42; the user inputs to block/unblock content based on an example content, wherein the user selects/inputs the example content which indicates an MPAA rating or a TV parental guideline rating).

Regarding claim 5, wherein the user input indicates the acceptability of the rating sample for one or more individuals (See Fig. 5; col. 10 lines 23-34).

Regarding claim 6, wherein the ratings sample comprises at least one of video data, audio data and text data (See col. 3 lines 61-67; wherein broadcast television and cable television inherently have video data).

Claim 7 contains the limitations of claim 1 (wherein Goddard discloses an apparatus (See Figs. 2 and 6)) and is analyzed as previously discussed with respect to

Art Unit: 2623

those claims. Furthermore, Goddard discloses an interface means (See col. 5 lines 5-14) and a control means (See Fig. 6, processing system 602).

Claim 8 contains the limitations of claims 2 and 7 and is analyzed as previously discussed with respect to those claims.

Claim 9 contains the limitations of claims 3 and 7 and is analyzed as previously discussed with respect to those claims.

Claim 10 contains the limitations of claims 4 and 7 and is analyzed as previously discussed with respect to those claims.

Claim 11 contains the limitations of claims 5 and 7 and is analyzed as previously discussed with respect to those claims.

Claim 12 contains the limitations of claims 6 and 7 and is analyzed as previously discussed with respect to those claims.

Claim 13 contains the limitations of claim 1 (wherein Goddard discloses a television signal receiver (See Figs. 2 and 6)) and is analyzed as previously discussed with respect to those claims. Furthermore, Goddard discloses an interface (See col. 5 lines 5-14) and a processor (See Fig. 6, processing system 602).

Claim 14 contains the limitations of claims 2 and 13 and is analyzed as previously discussed with respect to those claims.

Claim 15 contains the limitations of claims 3 and 13 and is analyzed as previously discussed with respect to those claims.

Claim 16 contains the limitations of claims 4 and 13 and is analyzed as previously discussed with respect to those claims.

Art Unit: 2623

Claim 17 contains the limitations of claims 5 and 13 and is analyzed as previously discussed with respect to those claims.

Claim 18 contains the limitations of claims 6 and 13 and is analyzed as previously discussed with respect to those claims.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH G. USTARIS whose telephone number is (571)272-7383. The examiner can normally be reached on M-F 7:30-5 PM; Alternate Fridays off.

Art Unit: 2623

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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